

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BELOUSSOV *et al.*

Appl. No.: 10/826,280

Filed: April 19, 2004

For: **Dedication of Administrative Servers  
to Management of Server Functions in  
a Multi-Server Environment**

Confirmation No.: 9961

Art Unit: 2154

Examiner: PATEL, HARESH N

Atty. Docket: 2230.0050000

**Declaration of Serguei Beloussov, Stanislav Protassov and Alexander  
Tormasov under 37 C.F.R. § 1.131**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, Serguei Beloussov, Stanislav Protassov and Alexander  
Tormasov, declare and state that,

1. We are the inventors of the above-captioned application, U.S. Appl. No.  
10/826,280, filed on April 19, 2004.

2. Prior to January 20, 2004, we, the inventors, had completed our invention  
in a WTO country (specifically, one of the inventors, Serguei M. Beloussov was at the  
time in the U.S. and in Singapore, both WTO countries), as claimed in the subject  
application, evidenced by the following:

3. Exhibit A confirms the date of conception prior to January 20, 2004, the  
filing date of Leonard et al., U.S. Patent No. 7,188,120 and prior to January 28, 2004,  
the filing date of Price et al., U.S. Patent 7,337,445.

4. Leonard and Prince both claim priority to the same US Provisional Patent  
Application No. 60/469,558. This Provisional Patent Application is an internal  
document of Sun Microsystems, Inc., in a format that is not particularly revealing, as  
far as the particular features of relevance to the present application. It is therefore not  
apparent how the relevant teachings of Price and Leonard are supported by the  
provisional application, and, in the event that either Price or Leonard are still used for  
the rejections, it is believed that the burden shifts to the USPTO to demonstrate  
where, in the provisional application, the relevant features are found.

5. Exhibits A1-A3 show diagrams confirming the conception date at least as  
early as December 2003 time frame, i.e., prior to the actual filing dates of both Price  
and Leonard. Specifically, Exhibit A-1 shows an email dated December 30, 2003,  
and Exhibits A-2 and A-3 show attached diagrams corresponding to the features  
recited, e.g., in claim 1 (note also the similarities between the Exhibits and the figures  
as filed).

6. Exhibit A-5 is an email dated December 30, 2003 and Exhibit A-4 is an attachment in Russian that also confirms conception of the invention at least as early as December 30, 2003. A translation of the document into English is attached as Exhibit A-6.

7. Thus, Exhibits A1, A2, A3, A4, A5 and A6 confirm conception of the invention prior to the filing dates of both Leonard and Price.

8. Exhibits B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9 and B-10 represent a collection of correspondence between the Applicants and their patent attorneys at the law firm Sterne Kessler Goldstein Fox, showing work being done on the application (i.e., confirming diligence in constructive reduction to practice) at least on the following dates:

January 21, 2004  
February 9, 2004  
February 25, 2004  
March 24, 2004  
March 29, 2004  
April 2, 2004  
April 6, 2008  
April 7, 2008  
April 8, 2008  
April 16, 2004

9. Exhibits C-1, C-2, C-3 and C-4 represent bills from the law firm Sterne Kessler Goldstein Fox, also confirming work on the preparation of the patent application, which confirms diligence in constructive reduction to practice of the invention between January 20, 2004, and the filing date of the present application, which is April 19, 2004. Specifically, Exhibits C-1, C-2, C-3 and C-4 show work being done on the application (i.e., confirming diligence in constructive reduction to practice) at least on the following dates:

01/21/04  
02/18/04  
02/18/04  
02/19/04  
02/25/04  
03/29/04  
04/04/04  
04/06/04  
04/09/04  
04/15/04

10. Therefore, the invention was conceived prior to the earliest filing date of Leonard et al. and prior to the earliest filing date of Price et al., and the Applicants were working diligently on constructive and/or actual reduction to practice between

the respective filing dates of Leonard et al. and Price et al. and April 19, 2004, the filing date of the present application.

11. As the persons signing below, we hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issue thereupon.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Serguei Belousov

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stanislav Protasov

\_\_\_\_\_  
Date

\_\_\_\_\_  
Alexander Tormasov

the respective filing dates of Leonard *et al.* and Price *et al.* and April 19, 2004, the filing date of the present application.

11. As the persons signing below, we hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issue thereupon.

<u>Nov 27 2008</u>	
Date	Serguei Beloussov
<u>Nov 27 2008</u>	
Date	Stanislav Protassov
<u>Nov 27 2008</u>	
Date	Alexander Tormasov

**George S. Bardmesser**

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Tuesday, December 30, 2003 10:03 AM  
**To:** George Bardmesser  
**Subject:** new matter 19  
**Attachments:** scheme1.pdf; scheme3.pdf

Hi!

I make some drafts for diagramms, probably will make some flow diagramms (but they will be without questions, just a set of operations, some of them optional).  
will continue work on claims samples

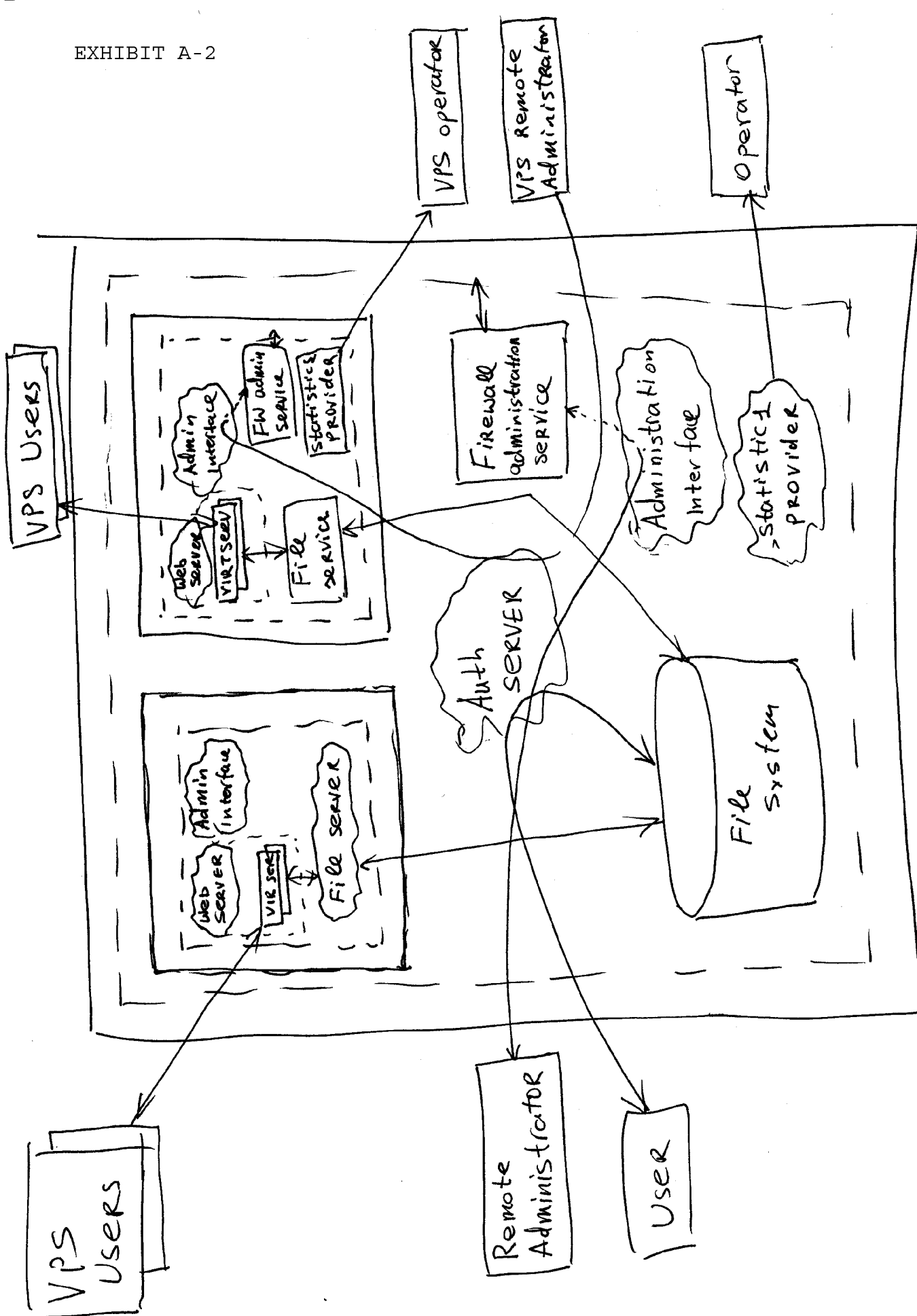
--

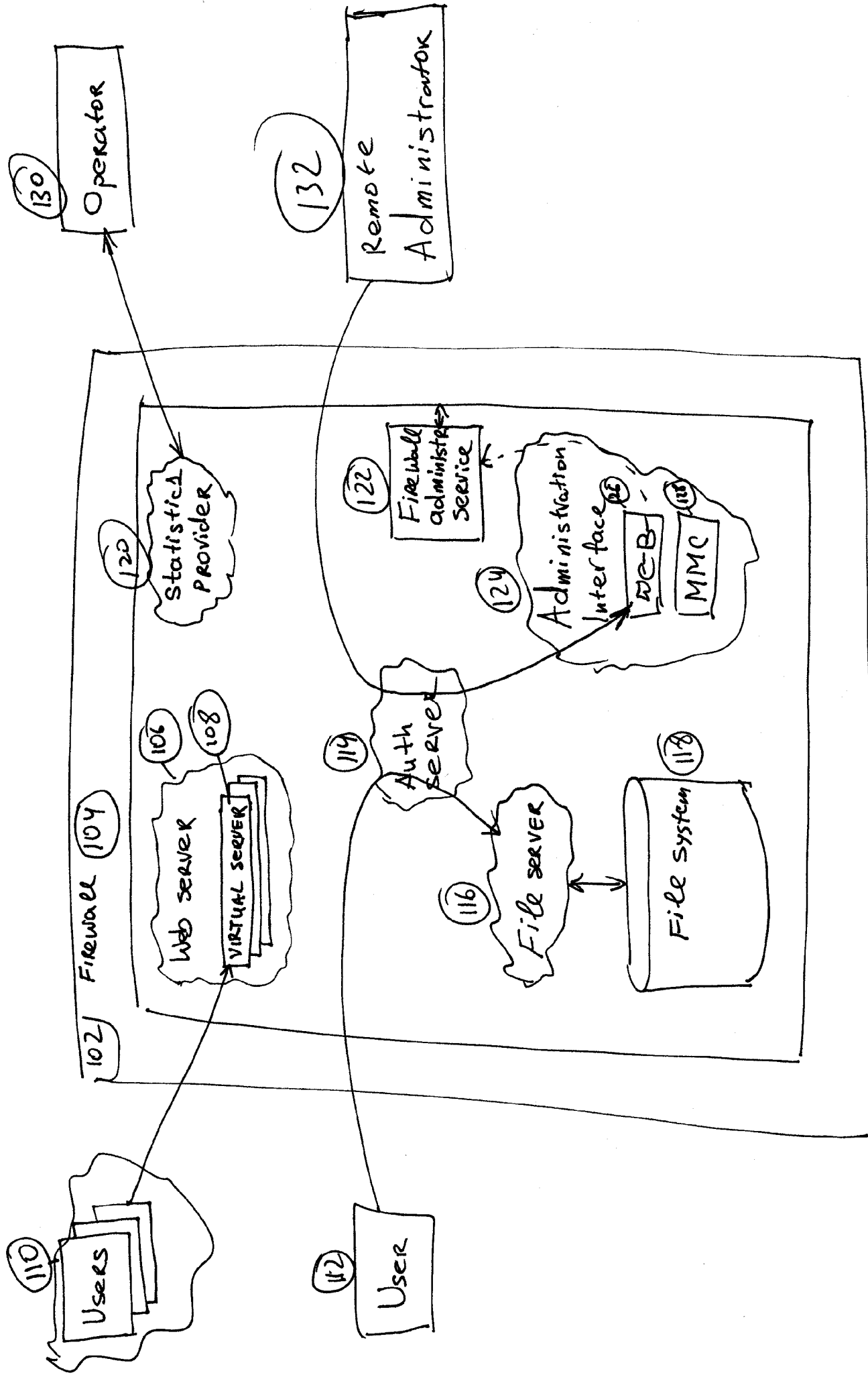
Sincerely,

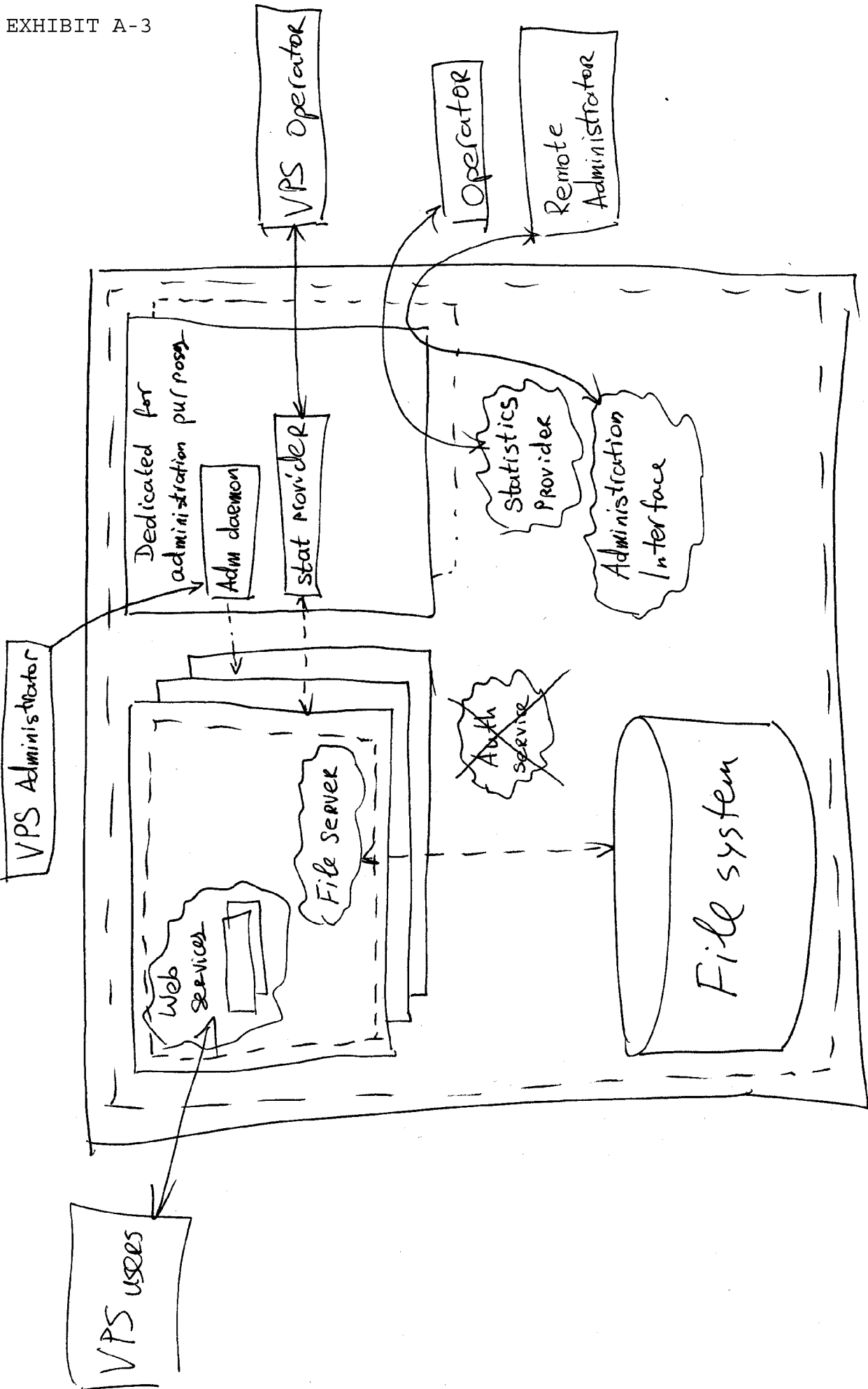
Alex Tormasov, SWsoft, Inc.

[tor@sw-soft.com](mailto:tor@sw-soft.com)

[www.sw-soft.com](http://www.sw-soft.com)









## Примерный план Claims.

### Компьютерная система, включая

- операционную систему,
- набор сервисов операционной системы, предназначенных для обслуживания внешних пользователей
- набор сервисов операционной системы, предназначенных для обслуживания нужд операционной системы
- группы сервисов, объединяющие вместе несколько сервисов
- где упомянутые группы сервисов могут быть изолированными друг от друга
- где может существовать множество однотипных групп сервисов
- где есть одна или более выделенных групп сервисов, которой делегирована часть или полностью все административное обслуживание

### Группа сервисов claim 1, которая может быть:

- chroot environment
- “sand box”
- Session of Windows terminal service
- Virtual Private server
- Virtuozzo Virtual private server

### Процесс обслуживания выделенной группой сервисов предназначенных для административного обслуживания, включая

- Соединение с выделенной группой сервисов по сети или другому коммуникационному каналу
- Опциональная авторизация
- Опциональная проверка параметров запроса сервисом
- Передача запроса для обработки в другую группу сервисов
- Обработка запроса
- Опциональная передача ответа от обработчика в передавший сервис
- Опциональная передача ответа от выделенной группы сервисов

### Канал передачи данных, который может использовать

- Сетевое соединение и протокольные надстройки над ним
- Via inter process communications used by operation system
- RPC, LPC и другие протоколы remote procedure calls and data exchange

### Группа сервисов claim 1, которая обслуживает все или некоторые (не ограничиваясь):

- Запросы на сбор статистики, чтение и установку performance counters, etc
- Запросы на управление и администрирование операционной системы и ее сервисами компьютерной системы claim 1
- Запросы на управление и администрирование другими группами сервисов claim 1
- Запросы на управление распределением ресурсов операционной системы и сервисов claim 1
- Запросы на авторизацию внутри операционной системы
- Запросы на авторизацию внутри групп сервисов claim 1
- Запросы на выполнение операций, которые могут быть потенциально невыполнимы внутри группы сервисов
- Запросы на выполнение операций, выполнение которых может привести к некорректной работе группы или одного сервиса из группы
- Запрос на выполнение операции извне группы сервисов, который выглядит для внешнего пользователя так как если бы операция выполнялась внутри одной или нескольких групп сервисов claim 1

- Запрос на выполнение операции по мультиплексированию одного сервиса таким образом, чтобы он мог выполняться по очереди или одновременно внутри других групп сервисов так что для внешнего потребителя сервиса это выглядело бы так как если бы этот сервис работал непосредственно внутри группы сервиса, с его локальными внутри группы сервисов установками, авторизацией, ресурсами и тд.
- 

План Prior Arts

**George S. Bardmesser**

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Tuesday, December 30, 2003 12:44 PM  
**To:** George Bardmesser  
**Subject:** Re: new matter 19  
**Attachments:** matter19.doc

> Utilization of Group of Computer Services in Multi-User Environment

ok. May be we can add something about "service group of services"...

I have very preliminary draft for set of claims, with some ideas...

I attach a doc with them. To be continued...

may be you have some recommendation about all this stuff.

Approximate Plan of the Claims

- A computer system including
- An operating system,
- A set of services of the operating system,
- A set of services of the operating system, intended for servicing external users
- A set of services of the operating system, intended for servicing the operating system requirements
- Groups of services, combining together several services
- Wherein the groups of services can be isolated from each other
- Where there can be groups of similar-type services
- Where there is one or more dedicated groups of services, to which some or all administrative services are delegated

A group of services as in claim 1, wherein the services can be

- A chroot environment
- A sandbox
- A session of Windows terminal services
- A virtual private server
- A virtuoso virtual private server

A process of servicing by using a dedicated group of services, that is dedicated for administrative functions, including

- Connecting to a dedicated group of services through a network or another communications channel
- Optional authorization
- Optional verification of parameters of the request for services
- Redirecting the request for processing to another group of services
- Processing of the requests
- Optional transfer/redirecting of the response from the processor to the service back to the requesting service
- Optional transfer of request from a dedicated group of services

- A channel for data transfer, which can use:
- A network connection and a protocol stack above it
- Using interprocess communications that are used by the operating system
- RPC, LPC and other protocols (remote procedure calls, and data exchange calls)

The group of services as in claim 1, which services all or some of:

- Request for statistics collections, reading and setting up of performance counters, etc.
- Request for administration and management of the operating system and its services by the computer system of claim 1
- Request for administration and management by other groups of services of claim 1
- Request for management of resource distribution of the operating system and the services of claim 1
- Request for authorization inside the operating system
- Request for authorization inside the groups of services of claim 1
- Request for operations that might be potentially not doable within the groups of services
- Request for operations which can cause incorrect of functionality within a group of services or a single service from a group
- Request for execution of an operation from outside the group of services, which, to the external user, appears as though the operation is performed inside one or more group of services of claim 1
- Request to execute an operation for multiplexing of a single service, such that it can be performed sequentially or simultaneously inside other groups of services, so that to an external user of the service, it appears as though that service functions directly inside the group of service, together with local (within the group of service) installation, authorization, resources, etc.

## George S. Bardmesser

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Wednesday, January 21, 2004 1:12 PM  
**To:** George Bardmesser  
**Subject:** Re: 2230.0050000 (your ref: 19)

hm... I think that I mention all most valuable (commercially) servers.  
lets mention WAP servers as well (Wireless Application Protocol) in common standard protocols,  
add our own "Plesk server", Virtuozzo server, Virtuozzo for windows server,  
and ("wireless access server", "wireless router" and "wireless access point" in separate claim)

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>  
To: <[tor@sw-soft.com](mailto:tor@sw-soft.com)>  
Sent: Wednesday, January 21, 2004 4:29 PM  
Subject: Re: 2230.0050000 (your ref: 19)

got it, thanks.

Any other servers you can think of? Don't be shy--now is the time!

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is  
confidential, proprietary and/or privileged, including attorney-client  
privilege and/or attorney work product. If you have received this  
transmission in error, please notify the sender immediately by return  
email and destroy the original message and all copies.

>>> "Alexander Tormasov" <[tor@sw-soft.com](mailto:tor@sw-soft.com)> 01/21/04 06:47AM >>>  
most of them is an official protocol name came from so called "RFC" - Internet de-facto standards ("Request For Comment"  
documents).

names below.

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>  
To: <[tor@sw-soft.com](mailto:tor@sw-soft.com)>  
Sent: Tuesday, January 20, 2004 11:52 PM  
Subject: 2230.0050000 (your ref: 19)

What do the following abbreviations stand for:

POP3 (post office protocol?) Post Office Protocol  
IMAP/IMAP4 INTERNET MESSAGE ACCESS PROTOCOL (VERSION 4)  
SMTP (simple mail transfer protocol?) Simple Mail Transfer Protocol  
COM/COM+/DCOM Component Object Model / extended COM/ Distributed COM - Microsoft  
DHCP Dynamic Host Configuration Protocol  
SSL Secure Socket Layer  
IPSEC

IPsec is a protocol suite which is used to secure communication at the network layer between two peers. This protocol is comprised of IP Security Architecture document [6], IKE, described in [7], IPsec AH, described in [3] and IPsec ESP, described in [4]. IKE is the key management protocol while AH and ESP are used to protect IP traffic.  
[3] Kent, S. and R. Atkinson, "IP Authentication Header", RFC 2402, November 1998.

[4] Kent, S. and R. Atkinson, "IP Encapsulating Security Payload (ESP)", RFC 2406, November 1998.

[6] Atkinson, R. and S. Kent, "Security Architecture for the Internet Protocol", RFC 2401, November 1998.

[7] Harkins, D. and D. Carrel, "The Internet Key Exchange (IKE)", RFC 2409, November 1998.

Network DDE - Dynamic Data Exchange  
NLA - Network Location Awareness (NLA) - Microsoft  
WMI Windows Management Instrumentation - Microsoft  
ASP Active Server Pages

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

## George S. Bardmesser

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Monday, February 09, 2004 5:37 AM  
**To:** George Bardmesser  
**Subject:** Re: 2230.0050000 (your ref: 19)

I have the following idea:

lets declare in claim 1 that we has an isolated VPS with one or more services which dedicated to perform administration functions.

then, in separate dependent claim declare that isolation can be logical, without support of OS kernel (like logical grouping of

processes),

with support in user space-only, and with special support inside OS kernel and user space.

so, we can cover everything because level of isolation is somekind of our own "virtual" term with our own declaration, starting from very weak like just a group or processes up to hard like Virtuozzo isolated VPS.

what do you think about?

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>  
To: <tor@sw-soft.com>  
Sent: Wednesday, January 21, 2004 9:28 PM  
Subject: Re: 2230.0050000 (your ref: 19)

ok, attached--something is twitchy about how Track Changes shows things, but you get the picture

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <tor@sw-soft.com> 01/21/04 01:11PM >>>

hm... I think that I mention all most valuable (commercially) servers.

lets mention WAP servers as well (Wireless Application Protocol) in common standard protocols, add our own "Plesk server", Virtuozzo server, Virtuozzo for windows server, and ("wireless access server", "wireless router" and "wireless access point" in separate claim)

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>  
To: <tor@sw-soft.com>  
Sent: Wednesday, January 21, 2004 4:29 PM  
Subject: Re: 2230.0050000 (your ref: 19)



got it, thanks.

Any other servers you can think of? Don't be shy--now is the time!

George S. Bardmessenger  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <[tor@sw-soft.com](mailto:tor@sw-soft.com)> 01/21/04 06:47AM >>>  
most of them is an official protocol name came from so called "RFC" - Internet de-facto standards ("Request For Comment" documents).

names below.

----- Original Message -----  
From: "George Bardmessenger" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>  
To: <[tor@sw-soft.com](mailto:tor@sw-soft.com)>  
Sent: Tuesday, January 20, 2004 11:52 PM  
Subject: 2230.0050000 (your ref: 19)

What do the following abbreviations stand for:

POP3 (post office protocol?) Post Office Protocol  
IMAP/IMAP4 INTERNET MESSAGE ACCESS PROTOCOL (VERSION 4)  
SMTP (simple mail transfer protocol?) Simple Mail Transfer Protocol  
COM/COM+/DCOM Component Object Model / extended COM/ Distributed COM - Microsoft  
DHCP Dynamic Host Configuration Protocol  
SSL Secure Socket Layer  
IPSEC

IPsec is a protocol suite which is used to secure communication at the network layer between two peers. This protocol is comprised of IP Security Architecture document [6], IKE, described in [7], IPsec AH, described in [3] and IPsec ESP, described in [4]. IKE is the key management protocol while AH and ESP are used to protect IP traffic.  
[3] Kent, S. and R. Atkinson, "IP Authentication Header", RFC 2402, November 1998.

[4] Kent, S. and R. Atkinson, "IP Encapsulating Security Payload (ESP)", RFC 2406, November 1998.

[6] Atkinson, R. and S. Kent, "Security Architecture for the Internet Protocol", RFC 2401, November 1998.

[7] Harkins, D. and D. Carrel, "The Internet Key Exchange (IKE)", RFC 2409, November 1998.

Network DDE - Dynamic Data Exchange  
NLA - Network Location Awareness (NLA) - Microsoft  
WMI Windows Management Instrumentation - Microsoft  
ASP Active Server Pages

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

## George S. Bardmesser

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Wednesday, February 25, 2004 1:36 PM  
**To:** George Bardmesser  
**Subject:** Re: 2230.0050000 (your ref: 19)  
**Attachments:** utility DEDICATION OF ADMINISTRATIVE SERVERS TO MANAGEMENT OF SERVER FUNCTIONS IN A MULTI-SERVER ENV.DOC

updated (also has some questions in caps)

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>  
To: <tor@sw-soft.com>  
Sent: Thursday, February 19, 2004 9:27 PM  
Subject: Re: 2230.0050000 (your ref: 19)

see comments in caps

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <tor@sw-soft.com> 02/19/04 11:45AM >>>  
seems that we have to add some more components to claims...  
otherwise it is too broad and can be harm by prior art.

1. let's add an idea that each computer system has one or more sets of similar in implementation technology VPS'es consisting of 1 or more VPS one of them is dedicated to administration purposes.  
similarity will include common way of numbering (or identifier creation for each VPS) and common implementation technology (fe, VM-like, separation of namespaces like Virtuozzo, chroot/jail environments, logical grouping/etc).

SOMEHOW, THIS DOESN'T GET ME ALL THAT EXCITED--DO YOU WANT TO TRY CHANGING CLAIM 1 DIRECTLY?  
SEEMS LIKE AN AWFUL LOT OF WORDS HERE,

AND IT'S NOT CLEAR TO ME HOW THEY WILL HELP...

2. let's explain what is "administration purposes" in the following manner:  
- using one or more from mentioned services  
- operations don't intend to serve end users - only some auxillary ones

some typical admin operations:

- backup/restore data
- install/remove os components and user applications
- configure os components and user applications
- configure networking hardware and firewalls, computer hardware, wireless hardware [software should come under previous point]

DONE, SEE TEXT

3. let's add a separate dependent claim that we will take into account VPS with resources isolation from which one or more will be dedicated to administration purposes.

DONE, SEE TEXT

we need to separate a case when one of so called "virtual apache host" is dedicated to administration (to skip prior art).

they don't have usually "heavy" isolation and typically share single instance of apache.  
the only isolation they use is a address isolation.

4. let's explain what is an isolation in description: DONE, SEE TEXT

logical isolation of processes,

means that processes are running in the same os kernel, but separated by means of OS or user space processes

physical isolation of processes,

means that processes are running in different media (for example, in native OS and inside VM)

resources isolation,

resources used inside one VPS are not available in another VPS (example - dedicated disk areas, VM emulators, dedicated CPU)

namespace isolation,

names used in one VPS can be used inside another VPS - for example, they can have same names of OS named objects, same user names

and so on.

data isolation,

data used in one VPS can be isolated and can't be used in another one - fe, each VPS can have own set of files for web server

[questionable]

address isolation,

each VPS can have own isolated addresses which can't be used inside another VPS - for example, they can have different IP addresses,

DNS names or Process Identifier PID

fault isolation

isolation of faulted application - if it fail in one VPS another VPS will be not affected

performance isolation

behaviour of one VPS (processes inside VPS) will not influence to performance of another VPS if requests is inside some SLA bounds

---

and add "physical hardware isolation" and "logical hardware isolation" into claims with the following explanation in description:

physical hardware isolation - used to configure single computer hardware to be split into semiindependent set of computers.

example - Sun domains partitioning (old scheme), blade servers set.

logical hardware isolation - used to reconfigure single hardware logically to a set of semiindependent computers,  
example - IBM LPAR (logical partitioning)

DONE, SEE TEXT

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>

To: <tor@sw.ru>

Sent: Thursday, 19 February, 2004 17:19

Subject: 2230.0050000 (your ref: 19)

some more minor edits

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

---

NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

## George S. Bardmesser

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Wednesday, March 24, 2004 2:01 PM  
**To:** George Bardmesser  
**Subject:** Re: SKGF Ref.: 2230.0050000/SWSoft Ref: 19 revised--a few minor edits

latest comments (mostly to claims).  
we need to include into claim 7:  
"servicing of VPS migration requests;  
servicing of processes migration requests"  
servicing of requests for computer system resources freeing  
[we should free resource after usage)

probably we can comment it in text that administration operations can include servicing requests of migration processes from one computer to another one in different form - in offline (when process is stopped before migration and later restored) and online (when process is migrated transparently to user and other processes) mode

probably we need to remove latest point "data updates" from claim 7 (it is not specified and too broad in meaning - can be harmful?)  
the same for other related claims (like 21)

claim 10 partially double set of points from claim 7 (fe, "checking permissions for operations") - but others are unique. This is intentionally? or we have to skip doubling from claim 7?

After that I think that we can finally file this - I can't invent how we can give this in different form ;-(

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>  
To: <[tor@sw.ru](mailto:tor@sw.ru)>  
Sent: Wednesday, February 25, 2004 10:52 PM  
Subject: SKGF Ref.: 2230.0050000/SWSoft Ref: 19 revised--a few minor edits

some comments embedded too, but for some reason, I can't make them displayed

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

## George S. Bardmesser

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Friday, April 02, 2004 1:23 PM  
**To:** George Bardmesser  
**Subject:** Re: SKGF Ref.: 2230.0050000/SWSoft Ref: 19 revised--a few minoredits

last addition - we should mention here hardware level of VPS isolation

as a separate claim

in description that we can support some underlaying level of isolation, for example, hardware partitioning of resources like IBM

LPAR,

Sun domains, or Intel plan to release (a couple of CPUs inside single chip).

this can include special means of isolation by dedicated hardware boards with hardware -level of control to resources dedication.

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>

To: <[tor@sw-soft.com](mailto:tor@sw-soft.com)>

Sent: Monday, March 29, 2004 10:21 PM

Subject: Re: SKGF Ref.: 2230.0050000/SWSoft Ref: 19 revised--a few minoredits

OK, take one last look

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <[tor@sw-soft.com](mailto:tor@sw-soft.com)> 03/24/04 01:00PM >>>

latest comments (mostly to claims).

we need to include into claim 7:

"servicing of VPS migration requests;

servicing of processes migration requests"

servicing of requests for computer system resources freeing

[we should free resource after usage)

probably we can comment it in text that administration operations can include servicing requests of migration processes from one

computer to another one in different form - in offline (when process is stopped before migration and later restored) and

online (when process is migrated transparently to user and other processes) mode

probably we need to remove latest point "data updates" from claim 7 (it is not specified and too broad in meaning - can be harmful?)

the same for other related claims (like 21)

claim 10 partially double set of points from claim 7 (fe, "checking permissions for operations") - but others are uniq.  
This is intentionally? or we have to skip doubling from claim 7?

After that I think that we can finally file this - I can't invent how we can give this in different form ;-(

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>

To: <[tor@sw.ru](mailto:tor@sw.ru)>

Sent: Wednesday, February 25, 2004 10:52 PM

Subject: SKGF Ref.: 2230.0050000/SWSoft Ref: 19 revised--a few minor edits

some comments embedded too, but for some reason, I can't make them displayed

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.



**George S. Bardmesser**

---

**From:** Alexander Tormasov [tor@sw-soft.com]  
**Sent:** Thursday, April 08, 2004 3:17 AM  
**To:** George Bardmesser  
**Subject:** Re: Re: Re: Final Draft of U.S. PatentApplication2230.0050000/MBR/GSB Your Ref: 19

I think that we can get his signature in a ~ month, not in a few days.  
so... better to receive early filing date than nothing

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>  
To: <tor@sw-soft.com>  
Cc: "Kanessa Howard" <KHOWARD@skgf.com>; "Serguei Belousov" <sb@sw.com.sg>  
Sent: Wednesday, April 07, 2004 9:48 PM  
Subject: XM: Re: Re: Final Draft of U.S. PatentApplication2230.0050000/MBR/GSB Your Ref: 19

yes!

not having signatures will delay issuance (i.e., the case does not get into the queue until the signatures are all in), but filing now without all the signatures gives you an earlier filing date. So if we can get sergei's signature in a few days, it's probably better to get it, unless there is a compelling reason not to.

Anyway--your decision on this one

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <tor@sw-soft.com> 04/07/04 01:35PM >>>  
hm, will this influence to priority date?

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>  
To: <tor@sw-soft.com>  
Cc: "Kanessa Howard" <KHOWARD@skgf.com>; "Serguei Belousov" <sb@sw.com.sg>  
Sent: Wednesday, April 07, 2004 9:34 PM  
Subject: XM: Re: Final Draft of U.S. Patent Application2230.0050000/MBR/GSB Your Ref: 19

it will be faster in the end if we file with all the signatures--i'll wait for Serguei's signature

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <tor@sw-soft.com> 04/07/04 01:21PM >>>  
let's file it.

I sign docs here by myself and Stas, Serguei will sign it when it will be available in VA or Moscow.

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>  
To: <sb@sw.com.sg>; <tor@sw.ru>  
Cc: "Kanessa Howard" <KHOWARD@skgf.com>; <jmarraccini@sw-soft.com>; <oford@sw-soft.com>  
Sent: Wednesday, April 07, 2004 4:12 AM  
Subject: Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19

Serguei M. Beloussov  
President and CEO  
SWSOFT HOLDINGS LTD. Via Email  
c/o SWsoft, Inc.  
13800 Coppermine Road, Suite 112  
Herndon, Virginia 20171  
Re: Final Draft of U.S. Patent Application  
For: Dedication of Administrative Servers to Management of Server Functions In a Multi-Server Environment  
Inventors: BELOUSSOV et al.  
Your Ref: 19  
Our Ref: 2230.0050000/MBR/GSB  
Dear Serguei:

Please find enclosed a final draft of the above-captioned patent application. Please carefully review this draft application to

ensure that it fully and accurately describes the invention. Please have each of your co-inventors do the same. Once your review

is complete, please get back to us with your comments.

If the application meets with everyone's approval, then we request that the following documents be executed and returned to us for

filing with the application:

1. A Declaration. Please have all inventors carefully review the Declaration and any information that we have entered onto it and

fill in any missing information in blue ink. By "residence" address is meant the city and state of residence, or, if residence is

not in the United States, city and country of residence. The "mailing" address is the (full) address at which the inventor

customarily receives mail; either the home or business address is acceptable as a mailing address. After the inventors have

completed the review of the patent application, any amendments, and Declaration, and if the information in the Declaration is correct and complete, all inventors should sign and date the Declaration in blue ink where indicated. If any corrections are made, please initial and date the corrections in the margin.

2. An Assignment. Please have the inventors who are assigning their rights review the Assignment document. In the body of the Assignment, in the blank space after the words "... executed by the undersigned on \_\_\_\_\_," the inventors should enter the date that they signed the Declaration. Then, the inventors should sign and date the bottom of the Assignment document in blue ink.

3. Statement Under 37 C.F.R. ? 3.73(b). With this document, the assignee informs the USPTO examination branch of the assignee's ownership rights, and establishes the name and title of the assignee's representative whose signature will bind the assignee in actions the assignee takes in front of the USPTO (for example, the submission of a Power of Attorney or Terminal Disclaimer). The person signing this document must have the authority to bind the assignee. This document should be signed after the inventors assign their rights.

4. A Power of Attorney from Assignee. This document grants a power of attorney to prosecute this patent application, and certain other related applications to the listed attorneys. This document should be reviewed, and signed and dated in blue ink by the same person who signs the Certificate under 37 C.F.R. ? 3.73(b). This document should be signed after the inventors assign their rights.

A duty of disclosure continues throughout the entire patent application process, and ends only with the actual issuance of a patent.

Therefore, if anyone substantively involved in the patent application process becomes aware of information that might be considered material, please forward it to us immediately. If there is information to submit, USPTO rules provide certain advantages to the applicant if the information is submitted within three months of the filing of the application, or before the examiner issues an office action on the merits, whichever is later.

Please note that most countries require absolute novelty of the invention. Therefore, if you have any interest in filing this

subject matter outside of the United States, please let us know as soon as possible, preferably prior to any disclosure or

submission (written, oral, or electronic) of the subject matter to a third party.

Also, per your standing instructions, we will file a non-publication request. If the application is subsequently filed in another

country (or under international agreement) that requires eighteen-month publication, we must notify the USPTO within forty-five (45) days or the application will become abandoned.

Please contact us if you have any questions or comments regarding the foregoing.

Very truly yours,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

George S. Bardmessenger

MBR/GSB:krh

Enclosure

247919v1

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

## EXHIBIT B-7

**From:** George Bardmesser  
**To:** Alexander Tormasov; Serguei Belousov  
**Date:** 4/6/04 8:12PM  
**Subject:** Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19

Serguei M. Belousov  
President and CEO  
SWSOFT HOLDINGS LTD. Via Email  
c/o SWsoft, Inc.

13800 Coppermine Road, Suite 112  
Herndon, Virginia 20171

Re: Final Draft of U.S. Patent Application

For: Dedication of Administrative Servers to Management of Server Functions In a Multi-Server Environment

Inventors: BELOUSSOV et al.

Your Ref: 19

Our Ref: 2230.0050000/MBR/GSB

Dear Serguei:

Please find enclosed a final draft of the above-captioned patent application. Please carefully review this draft application to ensure that it fully and accurately describes the invention. Please have each of your co-inventors do the same. Once your review is complete, please get back to us with your comments. If the application meets with everyone's approval, then we request that the following documents be executed and returned to us for filing with the application:

1. A Declaration. Please have all inventors carefully review the Declaration and any information that we have entered onto it and fill in any missing information in blue ink. By "residence" address is meant the city and state of residence, or, if residence is not in the United States, city and country of residence. The "mailing" address is the (full) address at which the inventor customarily receives mail; either the home or business address is acceptable as a mailing address. After the inventors have completed the review of the patent application, any amendments, and Declaration, and if the information in the Declaration is correct and complete, all inventors should sign and date the Declaration in blue ink where indicated. If any corrections are made, please initial and date the corrections in the margin.
2. An Assignment. Please have the inventors who are assigning their rights review the Assignment document. In the body of the Assignment, in the blank space after the words "... executed by the undersigned on \_\_\_\_\_," the inventors should enter the date that they signed the Declaration. Then, the inventors should sign and date the bottom of the Assignment document in blue ink.
3. Statement Under 37 C.F.R. § 3.73(b). With this document, the assignee informs the USPTO examination branch of the assignee's ownership rights, and establishes the name and title of the assignee's representative whose signature will bind the assignee in actions the assignee takes in front of the USPTO (for example, the submission of a Power of Attorney or Terminal Disclaimer). The person signing this document must have the authority to bind the assignee. This document should be signed after the inventors assign their rights.
4. A Power of Attorney from Assignee. This document grants a power of attorney to prosecute this patent application, and certain other related applications to the listed attorneys. This document should be reviewed, and signed and dated in blue ink by the same person who signs the Certificate under 37 C.F.R. § 3.73(b). This document should be signed after the inventors assign their rights.

A duty of disclosure continues throughout the entire patent application process, and ends only with the actual issuance of a patent. Therefore, if anyone substantively involved in the patent application process becomes aware of information that might be considered material, please forward it to us immediately. If there is information to submit, USPTO rules provide certain advantages to the applicant if the information is submitted within three months of the filing of the application, or before the examiner issues an office action on the merits, whichever is later.

Please note that most countries require absolute novelty of the invention. Therefore, if you have any interest in filing this subject matter outside of the United States, please let us know as soon as possible, preferably prior to any disclosure or submission (written, oral, or electronic) of the subject matter to a third

party.

Also, per your standing instructions, we will file a non-publication request. If the application is subsequently filed in another country (or under international agreement) that requires eighteen-month publication, we must notify the USPTO within forty-five (45) days or the application will become abandoned. Please contact us if you have any questions or comments regarding the foregoing.

Very truly yours,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

George S. Bardmessenger

MBR/GSB:krh

Enclosure

247919v1

George S. Bardmessenger  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

---

NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

CC: Jamie Maraccini; Kanessa Howard; Olga Ford

**Kanessa Howard - XM: Re: Final Draft of U.S. Patent  
Application 2230.0050000/MBR/GSB Your Ref: 19**

---

**From:** George Bardmesser  
**To:** "tor@sw-soft.com".GWIA.SKGF\_DOM  
**Date:** 4/7/2004 1:34 PM  
**Subject:** XM: Re: Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19  
**CC:** Kanessa Howard; Serguei Belousov

---

it will be faster in the end if we file with all the signatures--i'll wait for Serguei's signature

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <tor@sw-soft.com> 04/07/04 01:21PM >>>  
let's file it.

I sign docs here by myself and Stas, Serguei will sign it when it will be available in VA or Moscow.

----- Original Message -----

From: "George Bardmesser" <GBARDMES@skgf.com>  
To: <sb@sw.com.sg>; <tor@sw.ru>  
Cc: "Kanessa Howard" <KHOWARD@skgf.com>; <jmarraccini@sw-soft.com>; <oford@sw-soft.com>  
Sent: Wednesday, April 07, 2004 4:12 AM  
Subject: Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19

Serguei M. Belousov  
President and CEO  
SWSOFT HOLDINGS LTD. Via Email  
c/o SWsoft, Inc.

13800 Coppermine Road, Suite 112

Herndon, Virginia 20171

Re: Final Draft of U.S. Patent Application

For: Dedication of Administrative Servers to Management of Server Functions In a Multi-Server Environment

Inventors: BELOUSSOV et al.

Your Ref: 19

Our Ref: 2230.0050000/MBR/GSB

Dear Serguei:

Please find enclosed a final draft of the above-captioned patent application. Please carefully review this draft application to ensure that it fully and accurately describes the invention. Please have each of your co-inventors do the same. Once your review is complete, please get back to us with your comments.

If the application meets with everyone's approval, then we request that the following documents be executed and returned to us for filing with the application:

1. A Declaration. Please have all inventors carefully review the Declaration and any information that we have entered onto it and fill in any missing information in blue ink. By "residence" address is meant the city and state of residence, or, if residence is not in the United States, city and country of residence. The "mailing" address is the (full) address at which the inventor customarily receives mail; either the home or business address is acceptable as a mailing address. After the inventors have completed the review of the patent application, any amendments, and Declaration, and if the information in the Declaration is correct and complete, all inventors should sign and date the Declaration in blue ink where indicated. If any corrections are made, please initial and date the corrections in the margin.
2. An Assignment. Please have the inventors who are assigning their rights review the Assignment document. In the body of the Assignment, in the blank space after the words "... executed by the undersigned on \_\_\_\_\_," the inventors should enter the date that they signed the Declaration. Then, the inventors should sign and date the bottom of the Assignment document in blue ink.
3. Statement Under 37 C.F.R. ? 3.73(b). With this document, the assignee informs the USPTO examination branch of the assignee's ownership rights, and establishes the name and title of the assignee's representative whose signature will bind the assignee in actions the assignee takes in front of the USPTO (for example, the submission of a Power of Attorney or Terminal Disclaimer). The person signing this document must have the authority to bind the assignee. This document should be signed after the inventors assign their rights.
4. A Power of Attorney from Assignee. This document grants a power of attorney to prosecute this patent application, and certain



other related applications to the listed attorneys. This document should be reviewed, and signed and dated in blue ink by the same person who signs the Certificate under 37 C.F.R. ? 3.73(b). This document should be signed after the inventors assign their rights.

A duty of disclosure continues throughout the entire patent application process, and ends only with the actual issuance of a patent.

Therefore, if anyone substantively involved in the patent application process becomes aware of information that might be considered material, please forward it to us immediately. If there is information to submit, USPTO rules provide certain advantages to the applicant if the information is submitted within three months of the filing of the application, or before the examiner issues an office action on the merits, whichever is later.

Please note that most countries require absolute novelty of the invention. Therefore, if you have any interest in filing this subject matter outside of the United States, please let us know as soon as possible, preferably prior to any disclosure or submission (written, oral, or electronic) of the subject matter to a third party.

Also, per your standing instructions, we will file a non-publication request. If the application is subsequently filed in another country (or under international agreement) that requires eighteen-month publication, we must notify the USPTO within forty-five (45) days or the application will become abandoned.

Please contact us if you have any questions or comments regarding the foregoing.

Very truly yours,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

George S. Bardmesser

MBR/GSB:krh

Enclosure

247919v1

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

EXHIBIT B-9

**From:** George Bardmesser  
**To:** "tor@sw-soft.com".GWIA.SKGF\_DOM  
**Date:** 4/8/04 6:56AM  
**Subject:** XM: Re: Re: Re: Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19

OK, in that case, we'll file without signatures.

Kanessa, pls prepare case for filing

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <[tor@sw-soft.com](mailto:tor@sw-soft.com)> 04/08/04 03:16AM >>>  
I think that we can get his signature in a ~ month, not in a few days.  
so... better to receive early filing date than nothing

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>  
To: <[tor@sw-soft.com](mailto:tor@sw-soft.com)>  
Cc: "Kanessa Howard" <[KHOWARD@skgf.com](mailto:KHOWARD@skgf.com)>; "Serguei Belousssov" <[sb@sw.com.sg](mailto:sb@sw.com.sg)>  
Sent: Wednesday, April 07, 2004 9:48 PM  
Subject: XM: Re: Re: Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19

yes!

not having signatures will delay issuance (i.e., the case does not get into the queue until the signatures are all in), but filing now without all the signatures gives you an earlier filing date. So if we can get serguei's signature in a few days, it's probably better to get it, unless there is a compelling reason not to.

Anyway--your decision on this one

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605  
-----

NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <[tor@sw-soft.com](mailto:tor@sw-soft.com)> 04/07/04 01:35PM >>>  
hm, will this influence to priority date?

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>  
To: <[tor@sw-soft.com](mailto:tor@sw-soft.com)>  
Cc: "Kanessa Howard" <[KHOWARD@skgf.com](mailto:KHOWARD@skgf.com)>; "Serguei Beloussov" <[sb@sw.com.sg](mailto:sb@sw.com.sg)>  
Sent: Wednesday, April 07, 2004 9:34 PM  
Subject: XM: Re: Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19

it will be faster in the end if we file with all the signatures--i'll wait for Serguei's signature

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Alexander Tormasov" <[tor@sw-soft.com](mailto:tor@sw-soft.com)> 04/07/04 01:21PM >>>  
let's file it.

I sign docs here by myself and Stas, Serguei will sign it when it will be available in VA or Moscow.

----- Original Message -----

From: "George Bardmesser" <[GBARDMES@skgf.com](mailto:GBARDMES@skgf.com)>  
To: <[sb@sw.com.sg](mailto:sb@sw.com.sg)>; <[tor@sw.ru](mailto:tor@sw.ru)>  
Cc: "Kanessa Howard" <[KHOWARD@skgf.com](mailto:KHOWARD@skgf.com)>; <[jmarraaccini@sw-soft.com](mailto:jmarraaccini@sw-soft.com)>; <[oford@sw-soft.com](mailto:oford@sw-soft.com)>  
Sent: Wednesday, April 07, 2004 4:12 AM  
Subject: Final Draft of U.S. Patent Application 2230.0050000/MBR/GSB Your Ref: 19

Serguei M. Beloussov  
President and CEO  
SWSOFT HOLDINGS LTD. Via Email  
c/o SWsoft, Inc.  
13800 Coppermine Road, Suite 112  
Herndon, Virginia 20171  
Re: Final Draft of U.S. Patent Application  
For: Dedication of Administrative Servers to Management of Server Functions In a Multi-Server Environment

Inventors: BELOUSSOV et al.

Your Ref: 19

Our Ref: 2230.0050000/MBR/GSB

Dear Serguei:

Please find enclosed a final draft of the above-captioned patent application. Please carefully review this draft application to

ensure that it fully and accurately describes the invention. Please have each of your co-inventors do the same. Once your review

is complete, please get back to us with your comments.

If the application meets with everyone's approval, then we request that the following documents be executed and returned to us for

filing with the application:

1. A Declaration. Please have all inventors carefully review the Declaration and any information that we have entered onto it and

fill in any missing information in blue ink. By "residence" address is meant the city and state of residence, or, if residence is

not in the United States, city and country of residence. The "mailing" address is the (full) address at which the inventor

customarily receives mail; either the home or business address is acceptable as a mailing address. After the inventors have

completed the review of the patent application, any amendments, and Declaration, and if the information in the Declaration is

correct and complete, all inventors should sign and date the Declaration in blue ink where indicated. If any corrections are made,

please initial and date the corrections in the margin.

2. An Assignment. Please have the inventors who are assigning their rights review the Assignment document. In the body of the

Assignment, in the blank space after the words "... executed by the undersigned on \_\_\_\_\_," the inventors should enter the date that

they signed the Declaration. Then, the inventors should sign and date the bottom of the Assignment document in blue ink.

3. Statement Under 37 C.F.R. ? 3.73(b). With this document, the assignee informs the USPTO

examination branch of the assignee's

ownership rights, and establishes the name and title of the assignee's representative whose signature will bind the assignee in

actions the assignee takes in front of the USPTO (for example, the submission of a Power of Attorney or Terminal Disclaimer). The

person signing this document must have the authority to bind the assignee. This document should be signed after the inventors assign

their rights.

4. A Power of Attorney from Assignee. This document grants a power of attorney to prosecute this patent application, and certain

other related applications to the listed attorneys. This document should be reviewed, and signed and dated in blue ink by the same

person who signs the Certificate under 37 C.F.R. ? 3.73(b). This document should be signed after the inventors assign their rights.

A duty of disclosure continues throughout the entire patent application process, and ends only with the actual issuance of a patent.

Therefore, if anyone substantively involved in the patent application process becomes aware of information that might be considered

material, please forward it to us immediately. If there is information to submit, USPTO rules provide certain advantages to the

applicant if the information is submitted within three months of the filing of the application, or before the examiner issues an

office action on the merits, whichever is later.

Please note that most countries require absolute novelty of the invention. Therefore, if you have any interest in filing this subject matter outside of the United States, please let us know as soon as possible, preferably prior to any disclosure or submission (written, oral, or electronic) of the subject matter to a third party. Also, per your standing instructions, we will file a non-publication request. If the application is subsequently filed in another country (or under international agreement) that requires eighteen-month publication, we must notify the USPTO within forty-five (45) days or the application will become abandoned. Please contact us if you have any questions or comments regarding the foregoing.

Very truly yours,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
George S. Bardmesser  
MBR/GSB:krh  
Enclosure  
247919v1

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: [gbardmes@skgf.com](mailto:gbardmes@skgf.com)  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

---

NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

CC: Kanessa Howard

**Kanessa Howard - XM: RE: RE: XM: FW: PDF Copy of Assignment Documents**

---

**From:** "Olga Ford" <oford@sw-soft.com>  
**To:** "George Bardmesser" <GBARDMES@skgf.com>  
**Date:** 4/16/2004 1:22 PM  
**Subject:** XM: RE: RE: XM: FW: PDF Copy of Assignment Documents

---

We fed-exed them. You will have them on Monday. Olga

-----Original Message-----

From: George Bardmesser [mailto:GBARDMES@skgf.com]  
Sent: Friday, April 16, 2004 1:11 PM  
To: oford@sw-soft.com  
Subject: XM: RE: XM: FW: PDF Copy of Assignment Documents

any chance you can fax me the originals? the scans don't look too great--parts of the page are cut off. It might be OK, but rather than risk the PTO rejecting them...

George S. Bardmesser  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue, N.W.  
Washington, DC 20005  
Email: gbardmes@skgf.com  
Phone: 202-772-8782  
Fax: 202-371-2540  
Cellular: 301-802-7605

-----  
NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Olga Ford" <oford@sw-soft.com> 04/16/04 11:18AM >>>  
George Alexander,  
I printed those from George's email of last week and had Serguei sign. Who is supposed to file them and where? Olga

-----Original Message-----

From: George Bardmesser [mailto:GBARDMES@skgf.com]  
Sent: Friday, April 16, 2004 10:46 AM  
To: oford@sw-soft.com  
Subject: Re: XM: FW: PDF Copy of Assignment Documents

these look like completely different cases filed by OMelveny--I was referring to the case I just wrote, that's about to be filed--2230.0050000 (your ref: 19)--DEDICATION OF ADMINISTRATIVE SERVERS TO MANAGEMENT OF SERVER FUNCTIONS IN A MULTI-SERVER ENVIRONMENT

(that said, Serguei should sign these forms and have someone--OMelveny, if they are still handling it) file the assignments with the PTO

George S. Bardmesser  
 Sterne Kessler Goldstein & Fox  
 1100 New York Avenue, N.W.  
 Washington, DC 20005  
 Email: gbardmes@skgf.com  
 Phone: 202-772-8782  
 Fax: 202-371-2540  
 Cellular: 301-802-7605

-----  
 NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Olga Ford" <oford@sw-soft.com> 04/16/04 10:48AM >>>  
 These are the signatures of everybody else but Serguei's. I have Serguei's signatures here, I will scan and mail to you today. Olga

-----Original Message-----

From: Alexander Tormasov [mailto:tor@sw-soft.com]  
 Sent: Friday, April 16, 2004 5:59 AM  
 To: Olga Ford  
 Subject: Fw: PDF Copy of Assignment Documents  
 Importance: High

please, ask sb@ to sign these docs as well

----- Original Message -----

From: "Sutanandi, Alice" <ASutanandi@OMM.com>  
 To: <Tor@sw-soft.com>  
 Cc: "Berliner, Brian" <BBerliner@OMM.com>  
 Sent: Friday, April 16, 2004 3:19 AM  
 Subject: FW: PDF Copy of Assignment Documents

> FIRST REMINDER  
 > RE: ASSIGNMENT DOCUMENTS  
 > RE: ASSIGNMENT DOCUMENTS (FIRST REMINDER)  
 >  
 > O'Melveny & Myers Reference No. 848265-1  
 > Serial No. 10/401,636  
 > Filed: March 27, 2003  
 >  
 > O'Melveny & Myers Reference No. 848265-2  
 > Serial No. 10/624,858  
 > Filed: July 22, 2003  
 >  
 > O'Melveny & Myers Reference No. 848265-5  
 > Serial No. 10/670,093  
 > Filed: September 24, 2003  
 >  
 > Attn: Mr. Tormasov  
 >  
 > Attached are Assignment documents for the above-identified patent  
 > application. Please have all inventors sign and date the documents and

> return the executed documents to us at your earliest convenience.  
> Thank you.  
> Alice Sutanandi  
> Assistant to Brian M. Berliner  
> O'Melveny & Myers LLP  
> 400 S. Hope Street  
> Los Angeles, CA 90071  
> 213-430-6486  
> asutanandi@omm.com  
>  
> >  
> >  
> > <<Assignment Documents.pdf>>  
>



## EXHIBIT C-1

Jamie Marraccini  
 Chief of Operations  
 SW-soft, Inc.  
 13800 Coppermine Drive  
 Suite 112  
 Herndon, VA 20171

February 18, 2004  
 Invoice # 10029079  
 Page 3

Our Matter # 2230.0050000

Utilization of Group of Computer Services in Multi-user Environment

Nonprovisional Application  
 Your Ref: 19

For professional services through January 31, 2004  
 including the following:

<u>DATE</u>	<u>SERVICE</u>	<u>PROF</u>	<u>HOURS</u>
01/05/04	work on application, specification, claims and figures;	GSB	3.90
01/06/04	work on application, specification, claims and figures;	GSB	2.80
01/08/04	work on application, specification, claims and figures;	GSB	2.10
01/09/04	telephone conference with client; work on application, specification, claims and figures;	GSB	2.30
01/12/04	work on application, specification, claims and figures;	GSB	1.40
01/13/04	work on application, specification, claims and figures;	GSB	1.50
01/14/04	work on application, specification, claims and figures;	GSB	.60
01/15/04	work on application, specification, claims and figures;	GSB	.70
01/21/04	work on application, specification, claims and figures;	GSB	1.70

Summary of Fees

	Hours	Rate/Hr	Dollars
GS Bardmesser	17.00	290.00	4,930.00

## EXHIBIT C-1

Jamie Marraccini  
Chief of Operations  
SW-soft, Inc.  
13800 Coppermine Drive  
Suite 112  
Herndon, VA 20171

February 18, 2004  
Invoice # 10029079  
Page 4

	Hours	Rate/Hr	Dollars
Total	17.00		4,930.00
Total Fees for Professional Services...			\$ 4,930.00
<u>Other Charges</u>			
Long Distance Telephone			325.00
Other Charges.....			\$ 325.00
TOTAL DUE FOR THIS MATTER.....			\$ 5,255.00

## EXHIBIT C-2

Jamie Marraccini  
 Chief of Operations  
 SW-soft, Inc.  
 13800 Coppermine Drive  
 Suite 112  
 Herndon, VA 20171

March 19, 2004  
 Invoice # 10029520  
 Page 4

Our Matter # 2230.0050000

Utilization of Group of Computer Services in Multi-user Environment

Nonprovisional Application

Your Ref: 19

For professional services through February 29, 2004  
 including the following:

<u>DATE</u>	<u>SERVICE</u>	<u>PROF</u>	<u>HOURS</u>
02/18/04	further revise specification per instruction from A. Tormasov;	GSB	.80
02/18/04	review and revise application;	MBR	3.00
02/19/04	work on application, specification, claims and figures;	GSB	1.50
02/25/04	work on application, specification, claims and figures;	GSB	.50

Summary of Fees

	Hours	Rate/Hr	Dollars
GS Bardmesser	2.80	290.00	812.00
M Ray	3.00	425.00	1,275.00
Total	5.80		2,087.00

Total Fees for Professional Services... \$ 2,087.00

TOTAL DUE FOR THIS MATTER..... \$ 2,087.00

## EXHIBIT C-3

Jamie Marraccini  
 Chief of Operations  
 SW-soft, Inc.  
 13800 Coppermine Drive  
 Suite 112  
 Herndon, VA 20171

April 26, 2004  
 Invoice # 10030186  
 Page 6

Our Matter # 2230.0050000

Dedication Of Administrative Servers To Management Of Server  
 Functions In A Multi-Server Environment

Nonprovisional Application  
 Your Ref: 19

For professional services through March 31, 2004  
 including the following:

<u>DATE</u>	<u>SERVICE</u>	<u>PROF</u>	<u>HOURS</u>
03/29/04	revise application per A. Tormasov's comments; telephone conference with A. Tormasov;	GSB	.90

Summary of Fees

	Hours	Rate/Hr	Dollars
GS Bardmesser	.90	290.00	261.00
Total	.90		261.00

Total Fees for Professional Services...	\$	261.00
TOTAL DUE FOR THIS MATTER.....	\$	261.00

## EXHIBIT C-4

Olga Ford, Esq.  
 General Counsel  
 SW-soft, Inc.  
 13800 Coppermine Drive  
 Suite 112  
 Herndon, VA 20171

May 27, 2004  
 Invoice # 10030875  
 Page 6

Our Matter # 2230.0050000

Dedication Of Administrative Servers To Management Of Server  
 Functions In A Multi-Server Environment

Nonprovisional Application  
 Your Ref: 19

For professional services through April 30, 2004  
 including the following:

<u>DATE</u>	<u>SERVICE</u>	<u>PROF</u>	<u>HOURS</u>
04/04/04	work on application;	GSB	2.10
04/06/04	review final application, formal papers, and letter forwarding same to client;	MBR	.40
04/09/04	review filing documents;	GSB	.30
04/15/04	review and revise application, and associated filing papers;	MBR	.30
04/19/04	revise and file application with formal documents;	GSB	1.30
04/19/04	review application filing;	JTH	.40

Summary of Fees

	Hours	Rate/Hr	Dollars
GS Bardmesser	3.70	290.00	1,073.00
JT Helvey	.40	315.00	126.00
M Ray	.70	425.00	297.50
Total	4.80		1,496.50

Total Fees for Professional Services... \$ 1,496.50